



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT on HCR0007
AUTHORIZING THE FORMATION OF A TASK FORCE TO STUDY THE ISSUE OF
A CANCER PRESUMPTIVE STATUTE RELATING TO FIREFIGHTERS**

REPRESENTATIVE DELLA AU BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 11, 2015

Room Number: 329

1 **Fiscal Implications:** None.

2 **Department Testimony:** Firefighters are potentially exposed to various mixtures of
3 particulates, gases, mists, fumes of an organic and/or inorganic nature that may have acute, toxic
4 and carcinogenic effects. There are nearly 2,000 state and county firefighters in nearly 100 fire
5 stations throughout Hawaii, and for some the health consequences of workplace exposure to
6 harmful toxicants may be after retirement. With the mounting literature and evidence of the
7 potential increased risk inherent in the nature of employment for firefighters, the Department of
8 Health supports the House Concurrent Resolution 0007, and is willing to participate in the
9 proposed Firefighter Cancer Presumptive Task Force to develop the recommendations for the
10 enactment of a Cancer presumptive statute.

11 Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



ELAINE N. YOUNG
ACTING DIRECTOR

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
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March 10, 2015

To: The Honorable Della Au Belatti, Chair,
The Honorable Richard P. Creagan, Vice Chair, and
Members of the House Committee on Health

Date: Wednesday, March 11, 2015
Time: 9:00 a.m.
Place: Conference Room 329, State Capitol

From: Elaine N. Young, Acting Director
Department of Labor and Industrial Relations (DLIR)

**Re: H.C.R. No. 7 Authorizing the Formation of a Task Force to Study the Issue of
a Cancer Presumptive Statute Relating to Firefighters**

I. OVERVIEW OF PROPOSED HOUSE CONCURRENT RESOLUTION

HCR No. 7 proposes to convene a Firefighter Cancer Presumptive Task Force to develop recommendations for the enactment of a cancer presumptive statute relating to firefighters. The Task Force is to provide a report of its findings and recommendations, including proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016.

The Department supports the intent of the resolution.

II. CURRENT LAW

Section 386-3, HRS, defines injury and provides that the employee's employer shall pay compensation to the employee or the employee's dependents as provided in chapter 386 if an employee suffers personal injury either by accident arising out of and in the course of the employment, or by disease proximately caused by or resulting from the nature of the employment.

Section 386-85, HRS, provides that there is a presumption that a claim for compensation is for a covered work injury. Section 386-85, HRS, provides that in any proceeding for the enforcement of a claim for compensation under this

chapter, it shall be presumed, in the absence of substantial evidence to the contrary:

- (1) That the claim is for a covered work injury;
- (2) That sufficient notice of such injury has been given;
- (3) That the injury was not caused by the intoxication of the injured employee;
and
- (4) That the injury was not caused by the willful intention of the injured employee to injure oneself or another.

III. COMMENTS ON THE HOUSE CONCURRENT RESOLUTION

The department supports the intent of the resolution, and the Administrator of the Disability Compensation Division looks forward to serving on the Task Force to provide input to proposed recommendations to revisions to the Workers' Compensation statute.

DAVID IGE
GOVERNOR



Elaine Young
Acting Director

SHAN TSUTSUI
LIEUTENANT GOVERNOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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March 10, 2015

The Honorable Della Au Belatti, Chair
Committee on Health
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Au Belatti:

Subject: House Concurrent Resolution (HCR) 7 Authorizing the Formation of a Task Force to Study the Issue of a Cancer Presumptive Statute Relating to Firefighters

I am Manuel P. Neves, Chair of the State Fire Council (SFC) and Fire Chief of the Honolulu Fire Department (HFD). The SFC and the HFD support HCR 7 with a recommended revision to include a representative from the SFC to the task force.

HCR 7 proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to fire fighters. We believe it is imperative that each county fire department is represented through the SFC, as the health and safety of fire personnel are high priorities for each fire department.

The SFC and the HFD strongly urge your committee's passage of HCR 7 with the recommended revision to the task force membership.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "M. P. Neves", written over a horizontal line.

MANUEL P. NEVES
Chair

MPN/LR:clc



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the

House Committee on Health

March 11, 2015 at 9:00 am

by

Jerris Hedges, MD, MS, MMM

Dean, John A. Burns School of Medicine

Interim Director, University of Hawai'i Cancer Center

University of Hawai'i at Mānoa

HCR 7 – AUTHORIZING THE FORMATION OF A TASK FORCE TO STUDY THE ISSUE OF A CANCER PRESUMPTIVE STATUTE RELATING TO FIREFIGHTERS

Chair Belatti, Vice Chair Creagan, and Members of the Committee:

The University of Hawai'i Cancer Center provides the following comments regarding this resolution.

The UH Cancer Center's mission is to reduce the burden of cancer through research, education, and patient care with an emphasis on the unique ethnic, cultural, and environmental characteristics of Hawai'i and the Pacific. We are one of only 68 institutions in the United States that hold the prestigious National Cancer Institute (NCI) designation, and the only NCI-designated center in the Pacific. The NCI designation provides greater access to federal funding and research opportunities, and gives the people of Hawai'i and the Pacific region access to innovative and potentially life-saving clinical trials without the necessity of traveling to the mainland.

Our perspective on health-related legislative matters is informed by scientific literature. While we have not yet formed an opinion on whether a cancer-presumptive statute relating to firefighters should be enacted in Hawai'i, we appreciate the opportunity to participate in the proposed task force.

Bernard P. Carvalho, Jr.
Mayor



Robert F. Westerman
Fire Chief

Nadine K. Nakamura
Managing Director

KAUA'I FIRE DEPARTMENT
County of Kaua'i, State of Hawai'i
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March 9, 2015

The Honorable Della Au Belatti, Chair
Committee on Health
The House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Au Belatti:

Subject: House Concurrent Resolution (HCR) 7 Authorizing the Formation of a
Task Force to Study the Issue of a Cancer Presumptive Statute Relating
to Firefighters

I am Robert F. Westerman, Vice-Chair of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD support HCR 7 with a recommended revision to include a representative of the SFC to the task force.

HCR 7 proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to firefighters. We believe it is imperative to have each county fire department represented through the SFC as the health and safety of personnel are high priorities for each fire department.

The SFC and KFD strongly urge your support and passage of HCR 7 with the recommended revision to the task force membership.

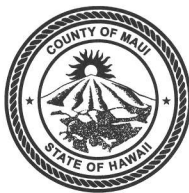
Should you have questions, please contact me at rwesterman@kauai.gov or (808) 241-4975.

Sincerely,

Robert F. Westerman
Vice-Chair

RFW/eld

ALAN M. ARAKAWA
MAYOR



JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY

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March 9, 2015

The Honorable Della Au Belatti, Chair
Committee on Health
The House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Au Belatti:

Subject: House Concurrent Resolution (HCR) 7 Authorizing the Formation of a Task Force to
Study the Issue of a Cancer Presumptive Statute Relating to Firefighters

I am Jeffrey A. Murray, Member of the State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC and the MFD support HCR 7 with a recommended revision to include a representative of the SFC to the task force.

HCR 7 proposes to form a Firefighter Cancer Presumptive Task Force to develop recommendations for enactment of a cancer presumptive statute relating specifically to firefighters. We believe it is imperative to have each county fire department represented through the SFC as the health and safety of personnel are high priorities for each fire department.

The SFC and MFD strongly urge your support and passage of HCR 7 with the recommended revision to the task force membership.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 723-7105 or sbratakos@honolulu.gov.

Sincerely,


JEFFREY A. MURRAY
Fire Chief

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 09, 2015 10:43 AM
To: HLTtestimony
Cc: fsayre@hawaii.rr.com
Subject: Submitted testimony for HCR7 on Mar 11, 2015 21:00PM

HCR7

Submitted on: 3/9/2015

Testimony for HLT on Mar 11, 2015 21:00PM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Frank H. Sayre, D.D.S.	Individual	Support	No

Comments: I strongly support passage of HCR7. In 1997 we established the Daniel Sayre Foundation to help raise funds to purchase equipment and training for the Hawaii County Fire Department. It was overwhelming what their very basic safety needs were. We have personally known a number of local firefighters who have developed cancers, some very rare and some fatal. There needs to be support for studies into possible links to occupational hazards. Mahalo

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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